

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
DELTA DIVISION**

**UNITED STATES OF AMERICA
upon the relation and for the use of the
TENNESSEE VALLEY AUTHORITY,**

PLAINTIFF,

VS.

CIVIL ACTION NO. 2:02CV148

**AN EASEMENT AND RIGHT-OF-WAY
OVER 1.28 ACRES OF LAND, MORE OR
LESS, IN DESOTO COUNTY, MISSISSIPPI;
DAN A. BROWN, ET AL.,**

DEFENDANTS.

ORDER

This matter comes before the court upon Defendant Union Planters Bank, N.A.'s Motion to Dismiss [16-1]. Upon due consideration of the motion – no objection having been filed – the court finds that same should be granted.

IT IS THEREFORE ORDERED AND ADJUDGED that:

(1) Defendant Union Planters Bank, N.A.'s Motion to Dismiss [16-1] is **GRANTED**; accordingly,

(2) All claims against Union Planters Bank, N.A. are hereby **DISMISSED WITH PREJUDICE**.

SO ORDERED this the 16th day of December, A.D., 2005.

/s/ W. Allen Pepper, Jr.
W. ALLEN PEPPER, JR.
UNITED STATES DISTRICT JUDGE